

## REMARKS

Applicants thank the Examiner for consideration of the subject patent application. In the office action mailed June 2, 2006, Claims 53-97 were pending, and made subject to a restriction requirement under 35 U.S.C. § 121. Particularly, the Examiner indicated that Claims 53-79 were drawn to a transdermal formulation comprising huperzine and a permeation enhancer (Group I), Claim 80 was drawn to a transdermal formulation comprising huperzine, and Claims 81-97 were drawn to a method for improving memory and cognitive function (Group III).

As a result of the present election, Claims 81-97 remain pending for consideration in the present patent application, and Claims 53-80 are withdrawn.

If any impediment remains to further examination of the present application after consideration of the above-recited election and remarks, which could be removed during a telephone interview, the Examiner is invited to telephone the undersigned attorney at (801) 566-6633 so that such issues may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 20-0100.

DATED this 29<sup>th</sup> day of June, 2006.

Respectfully submitted,

THORPE, NORTH & WESTERN, LLP



David W. Osborne

Reg. No. 44,989

8180 South 700 East, Suite 350

Sandy, UT 84070

Telephone: (801) 566-6633

Facsimile: (801) 566-0750